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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.
Appl. No. : 10/063,518
Filed : May 1, 2002
For : A POLYPEPTIDE ENCODED
BY A NUCLEIC ACID OVER-
EXPRESSED IN MELANOMA
Examiner : David J. Blanchard
Group Art Unit : 1643

PETITION UNDER 37 C.F.R. §1.183

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit an Information Disclosure Statement and SB08 equivalent form herewith which includes among the listed references 25 U.S. patent applications. Each of the listed patent applications served as the basis of a priority claim in U.S. Patent Application Serial No. 09/488,725, which is also listed on the accompanying SB08 equivalent form. U.S. Patent Application Serial No. 09/488,725 served as the basis of a priority claim in PCT Publication WO 01/53312, which served as the basis of a rejection under 35 U.S.C. §102(e) in the Office Action mailed January 11, 2007 in U.S. Patent Application Serial No. 10/063519, which is directed to antibodies which bind to the PRO1864 polypeptide.

Each of the listed patent applications other than U.S. Patent Application Serial No. 09/471,275 and 09/488,725 are unpublished and unavailable to Applicants. In addition, each of these applications is likely to contain a large sequence listing. The PTO is believed to have copies of each of the listed applications, as well as electronic copies of the sequence listings

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therefrom. The electronic copies of the sequence listings are more usable to the PTO than paper copies.

In view of the unavailability of the listed patent applications and the fact that the electronic forms of the sequence listings therefrom are more usable to the PTO than paper copies, Applicants respectfully request that the requirement for submitting a paper copy of the each of the listed patent applications and the sequence listings therefrom be waived in the above-identified application and any application claiming priority thereto.

Applicants are providing copies of the specifications of U.S. Patent Application Serial Nos. 09/471,275 and 09/488,725. However, these applications contain sequence listings with over 10,000 sequences therein. The PTO is believed to have electronic copies of the sequence listings from these applications which are more usable to the PTO than paper copies. Accordingly, Applicants respectfully request that the requirement for submitting a paper copy of the sequence listings from U.S. Patent Application Serial Nos. 09/471,275 and 09/488,725 be waived in the above-identified application and any application claiming priority thereto.

Please feel free to contact the undersigned if you have any questions regarding this Petition.

Applicants have provided the fee required by 37 C.F.R. §1.17(h) herewith. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 23, 2007

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